UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICKY BURKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:17-cv-02770-JAR
	)	
	)	
NANCY A. BERRYHILL,	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

MEMORANDUM & ORDER

This matter is before the Court on the motion of Defendant, the Acting Commissioner of Social Security, to reverse and remand this Social Security disability case pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).   (Doc. No. 27).

Plaintiff was denied supplemental social security income benefits by decision of an Administrative Law Judge on two occasions, the most recent occurring in September 2017, which forms the basis of this lawsuit.   The Acting Commissioner states that agency counsel determined that remand was necessary for further evaluation of Plaintiff's claim.   On remand, the Appeals Council of Social Security Administration will direct the ALJ to reevaluate whether Plaintiff met or equaled Listing § 12.05 and to consider testimony offered by a medical expert at a previous hearing.   Plaintiff consents to the Acting Commissioner's motion to reverse and remand on this basis.   (Doc. No. 28).

Title 42 U.S.C. § 405(g) provides, "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision

1

of the Commissioner of Social Security, with or without remanding the cause for a rehearing."

The Court finds that the Acting Commissioner has made a sufficient showing of good cause to

reverse and remand this case for further action. *See Roam v. Astrue*, No.

1:08CV00129SNLJ/AGF, 2009 WL 1586037, at *1 (E.D. Mo. June 2, 2009).

Accordingly,

IT IS HEREBY ORDERED that Defendant's motion to reverse and remand the case for

further proceedings (Doc. No. 27) is **GRANTED**.

A separate Judgment shall accompany this Order.
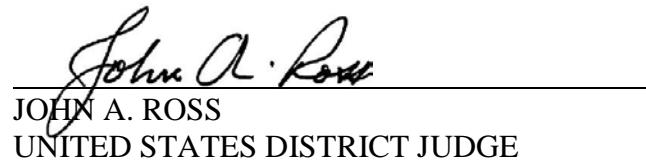
_____
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 14th day of September, 2018.